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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/542,897	04/04/2000	Jerry H. Chisnell	FTP141A US	5716

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EXAMINER

RODGERS, MATTHEW E

ART UNIT PAPER NUMBER

3677

DATE MAILED: 12/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

09/542,897

Applicant(s)

CHISNELL, JERRY H.

Examin r

Matthew E. Rodgers

Art Unit

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-- The MAILING DATE f this communicati n appears on the cover sheet with the c rrespondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2002 .
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-7 is/are allowed.
- 6) ☒ Claim(s) 1, 8-13, 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____ .
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachm nt(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____ .

DETAILED ACTION

This Office Action is in response to the Appeal Brief filed September 30th, 2002. The Examiner regrets that the rejections set forth in the previous Office Actions were not clear to the Applicant. Subsequently, prosecution of the instant application has been reopened.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Baron (WO97/16670, see USPN 6,260,851 for English language translation). In Figure 5, Baron shows a composite sleeve seal having a body portion with at least one collar section (52) having at least one link segment (47) extending therefrom. As viewed in Figure 5, link segments (47) extend downward from collar section end (51). At least one seal portion (42) disposed in axial prolongation with respect to the at least one collar section (52) is contiguous with the at least one collar section (52) and surrounds the at least one link segment (47) at the junction between the seal portion (42) and the link segment (47) generally designated at junction (49) to interlock the at least one seal portion (42) with the body portion. The seal portion (42) is considered to surround the link segment (47) because the link segment (47) extends beyond the collar section end (51) to create an area of longitudinal overlap along axis the longitudinal axis (43) between

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the link segment (47) and the seal portion (42). The seal portion interlocks itself with the body portion through link segments (47) by surrounding the link segments (47) since the link segments (47) frictionally interlock the collar section (52). It should be noted that the limitation "said at least one seal portion being molded around at least a portion of said at least one link segment" in claim 15 is considered a process limitation and is only given limited patentable weight in article claim 15.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baron. In the embodiment shown in Figures 5-7, Baron shows a fluid tight conduit connection having a female component a female component (54) and a male component (58) positioned within the female component such that the female component circumscribes the male component, with a composite seal (41) interposed between the male (58) and female (54) components. The female component includes a mounting surface (53) and a throughbore (59). The throughbore has a chamfer in the mounting surface (shown on the mating end of bore 59), the chamfer and the throughbore define a transition surface therebetween (ring formed from an annulus of intersecting points formed at the intersection of the chamfer and the throughbore 59). The tapered portion of collar section (52) engages the transition surface of the female member. In the

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embodiment of Figures 5-7, Baron also shows a composite sleeve seal having a body portion with a collar section (52) having at least one link segment (47) extending therefrom. As viewed in Figure 5, link segments (47) extend downward from the collar section end (51). At least one seal portion (42) disposed in axial prolongation with respect to the collar section (52) is contiguous with the collar section (52) and surrounds the at least one link segment (47) at the junction between the seal portion (42) and the link segment (47) generally designated at junction (49) to interlock the at least one seal portion (42) with the body portion. The seal portion (42) is considered to surround the link segment (47) because the link segment (47) extends beyond the collar section end (51) to create an area of longitudinal overlap along axis the longitudinal axis (43) between the link segment (47) and the seal portion (42). The seal portion interlocks itself with the body portion through link segments (47) by surrounding the link segments (47) since the link segments (47) frictionally interlock the collar section (52). The collar sections are made of plastic (col. 2, lines 54-55), and the seal portions are made of rubber (col. 22, lines 51-52). The link segments comprise three link segments (col. 5, line 11) that extend axially between the collar sections. The three link segments are circumferentially spaced 120 degrees apart (col. 5, lines 9-12, and as shown in Figure 6). One of the collar sections includes a tapered portion having a tapered surface thereon (as shown at the mating end of collar section 16 in Figure 2).

And
11/26/02
However, Baron^{in Figures 5-7} does not teach a plurality of collar sections interconnected by at least one link segment.

In the embodiment shown in Figures 2 and 3, Baron teaches that a plurality of collar sections (16, 19) may be interconnected in series and integral with seal portions (18, 21) for the purpose of having a seal that is "conducive to leaktightness" (col. 4, line 15).

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to make the seal of Baron shown in the embodiment of Figures 5-7 having a plurality of collar sections provided in series interconnected by at least one link segment. The combination of the embodiment shown in Figures 5-7 and the embodiment shown in Figures 2 and 3 would be achieved by providing a second seal, identical to that shown in Figure 5, in series either on top or on bottom of the seal shown, as viewed in Figure 5. This combination would render, in part, a body portion including a plurality of collar sections (52) interconnected by at least one link segment (47) since the link segments (47) frictionally interlock the seal portions (42) with the body portions, and the seal portions, as taught in the embodiment of Figures 2 and 3, are integral with collar sections (52) (col. 3, lines 59-67).

Allowable Subject Matter

Claims 2-7 are allowed. The following is a statement of reasons for the indication of allowable subject matter: the prior art does not teach or fairly suggest the combination of features claimed in claim 2, *especially* a plurality of collar sections spaced apart from one another to define at least one gap therebetween, the collar sections being interconnected by at least one link segment *spanning the at least one gap*.

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 8, and 15 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments regarding the limitation of claim 1 disclosing at least one link segment extending from at least one collar, and at least one

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link segment being surrounded by at least one seal portion are addressed in the rejections set forth above. Applicant's arguments regarding the limitations in claim 8 disclosing at least one link segment interconnecting a plurality of collar sections, and at least one link segment being surrounded by at least one seal portion are addressed in the rejections set forth above.

Applicant's arguments regarding the limitations in claim 15 disclosing at least one link segment extending from the at least one collar, and at least one seal portion being molded around at least a portion of at least one seal segment are addressed in the rejections set forth above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Rodgers whose telephone number is (703) 306-3406. The examiner can normally be reached on regular work hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.



MR

November 25, 2002



J. J. SWANN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600